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January 20, 2005

Date

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:	Patent Application of Rita Koester, <i>et al.</i>	: Group Art Unit: 1751 : :
Appln. No.:	09/831,432	: Examiner: Necholus Ogden, Jr. : :
Filed:	July 30, 2001	: Confirmation No.: 4209 : :
For:	MACHINE DISHWASHING RINSE AGENTS AND METHODS OF USING THE SAME	: Attorney Docket : No.: H 3540 PCT/US :

PETITION TO WITHDRAW THE HOLDING OF ABANDONMENT

In response to the Notice of Abandonment mailed on December 27, 2004, Applicants hereby petition for the withdrawal of the Examiner's holding of abandonment in the above-identified application. The above-identified application ostensibly became abandoned after December 25, 2004, for Applicants' failure to timely respond to the Office Action dated June 25, 2004 ("the Office Action"), within the six-month statutory period for response.

Applicants' undersigned representative submits that a response to the Office Action, along with a Request for a Three-Month Extension of Time, including an authorization to charge fees, was filed via facsimile on December 22, 2004, in accordance with the provisions of 37 C.F.R. §§1.6(d) & 1.8. Copies of the responsive Amendment, Petition for Extension of Time, Applicants' Internal Facsimile Confirmation and the Office's Auto-Reply Facsimile Transmission are attached hereto, as evidence of Applicants' timely and complete response to the Office Action.

Since a complete and timely response to the Office Action was filed in accordance with 37 C.F.R. §§1.6(d) & 1.8 facsimile transmission procedures, and was apparently never received by the Office, through no fault of Applicants, no fee for submitting this Petition is believed to be due. However, the Commissioner is hereby authorized to charge **Deposit Account No. 50-1177** if any fee under 37 C.F.R. 1.17 is deemed necessary for the accompanying Petition to be considered by the Patent Office.

Furthermore, as the instant Petition should not be considered untimely as it has not been more than two months since the mailing date of the Notice of Abandonment, in accordance with M.P.E.P. § 711.03(c)(I), it is submitted that no Terminal Disclaimer is required in conjunction with this Petition.

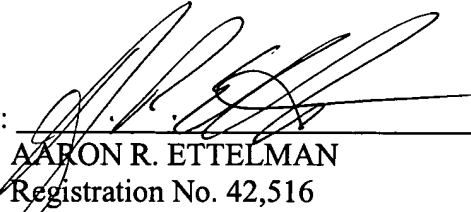
Accordingly, Applicants respectfully request withdrawal of the Holding of Abandonment and further request examination of the instant application based upon Applicants' Amendment submitted on December 22, 2004, in response to the Office Action.

Respectfully submitted,

RITA KOESTER, et al.

January 20, 2005
(Date)

By:


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Enclosures:

- 1). Copy of Office's Auto-Reply Facsimile Transmission dated 12/22/04
- 2). Copy of Applicants' Representative's internal fax confirmation dated 12/22/04
- 3). Copy of Amendment faxed 12/22/04
- 4). Copy of Request for Extension of Time Under 37 CFR § 1.136 faxed 12/22/04